

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

BERKEY INTERNATIONAL, LLC,

Plaintiff,

v.

ENVIRONMENTAL PROTECTION
AGENCY, et al.

Defendants.

Civil No. 3:24-cv-01106-CVR

**MOTION FOR LEAVE TO FILE IN EXCESS OF PAGE LIMITATIONS UNDER
LOCAL RULE 7(e)**

Defendants, U.S. Environmental Protection Agency (“EPA”), Michael S. Regan, in his official capacity as Administrator, EPA, Christine Tokarz in her official capacity as an employee of EPA, and David Cobb in his official capacity as an employee of EPA (“Defendants”) hereby move for leave to file in excess of page limitations under Local Rule 7(e). In support of Defendants’ motion, Defendants represent that:

1. On March 26, 2024, the Court ordered Defendants to file their response in opposition to Plaintiff’s motion for preliminary injunction by April 17, 2024. ECF No. 37.

2. Defendants tender their proposed response, which consists of 20 pages, excluding table of contents, table of authorities, and signature page, in request for leave to file in excess of the 15-page limit set forth by D.P.R. Local Rule 7(e). *See* Ex. 1. The multiple criteria that must be addressed in relation to the standards for a preliminary injunction required additional pages for briefing. Plaintiff’s motion is 19 pages and incorporated Plaintiff’s complaint and its exhibits

by reference, over 650 pages with the same exclusions. Thus, Defendants seek only to file a brief that can address the allegations in Plaintiff's motion.

3. Should the Court allow the excess page brief to be filed, the undersigned will file separately upon authorization from the Court.

Accordingly, Defendants respectfully request that the Court grant Defendants' motion and allow Defendants to file their draft response brief, Ex. 1.

Dated: April 17, 2024

/s/ Shari Howard

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Counsel for Defendants

Certificate of Service

I certify that on April 17, 2024, I filed the foregoing with the Court's CMS/ECF system, which will notify each party.

/s/ Shari Howard
Shari Howard